

KEATING LAW GROUP
9130 W. RUSSELL RD., SUITE 200
LAS VEGAS, NEVADA 89148

JOHN T. KEATING
Nevada Bar No. 6373
COLIN P. CAVANAUGH
Nevada Bar No. 13842
KEATING LAW GROUP
9130 W. Russell Road, Suite 200
Las Vegas, Nevada 89148
jkeating@keatinglg.com
ccavanaugh@keatinglg.com
(702) 228-6800 phone
(702) 228-0443 facsimile
Attorneys for Defendant
*Metropolitan Property &
Casualty Insurance Company*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MARY ANN MORRIS, individually; TAMMIE
LYNNE MOSBRUCKER, individually,

Plaintiff,

vs.

METROPOLITAN PROPERTY & CASUALTY
INSURANCE COMPANY a/k/a METLIFE AUTO
& HOME a/k/a METLIFE; DOES I through X;
and ROE CORPORATIONS I through X,
inclusive

Defendants.

CASE NO.:

PETITION FOR REMOVAL
OF CIVIL ACTION

(Formerly Case No. A-17-763180-C in the
Eighth Judicial District Court, Clark County,
Nevada)

TO: CLERK OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA; and

TO: ALL INTERESTED PARTIES:

Defendant METROPOLITAN PROPERTY & CASUALTY INSURANCE COMPANY a/k/a
METLIFE AUTO & HOME a/k/a METLIFE ("METLIFE"), by and through its attorneys, KEATING Law
GROUP, files this Petition for Removal of Civil Action of the above-entitled case from the Eighth
Judicial District Court for the State of Nevada to the United States District Court for the District

of Nevada, on the basis of diversity of citizens pursuant to 28 U.S.C. §1332(a), §1441, and §1446.

The Petition of Defendant respectfully shows:

1. On October 17, 2017, Plaintiffs commenced their lawsuit against Defendant in the Eighth Judicial District Court for the State of Nevada, entitled *Morris, et al. v. Metropolitan Property & Casualty Insurance Company, et al.*, Case No. A-17-763180-C.

2. On or about November 7, 2017 Defendant received notice of this action by service of process.

3. Plaintiffs are currently citizens of the state of Washington.

4. At the time of the underlying accident Plaintiffs were citizens of Nevada.

5. Defendant is, and at all relevant times was, a Rhode Island corporation, and thus is a citizen of Rhode Island.

6. Plaintiffs, in their Complaint, purports to set forth causes of action for: (1) breach of contract; (2) breach of the covenant of good faith/insurance bad faith; (3) unjust enrichment; and (4) violation of Unfair Claims Practices Act.

7. Plaintiffs allege, inter alia, that they suffered personal injuries in a March 14, 2016 motor vehicle accident in Clark County, Nevada. Upon information and belief, Plaintiffs are now claiming damages pursuant to the alleged coverage of the policy of insurance issued by Defendant and for breach of Nevada's Unfair Claims Practices Act.

8. Plaintiffs' Complaint seeks recovery of:

- a. Contractual damages up to the \$100,000 per person underinsured motorist policy limits;
- b. General damages in excess of \$15,000;
- c. Special damages in excess of \$15,000;
- d. Reasonable attorney's fees and costs;
- e. Exemplary and punitive damages;
- f. Interest at the statutory rate; and
- g. For such other and further relief as the Court deems just and proper.

KEATING LAW GROUP
9130 W. RUSSELL RD., SUITE 200
LAS VEGAS, NEVADA 89148

1 9. In light of each Plaintiff's claim for the \$100,000 UM policy limits, as well as
2 general, special, and punitive damages, they are seeking damages in excess of the \$75,000.00
3 jurisdictional requirement under 28 U.S.C. §1332(a).


4 10. Copies of all processes and pleadings served in the State Court action are
5 attached as Exhibit "A" to the Petition for Removal in accordance with 28 U.S.C.A. § 1446(a).

6 11. Concurrent with the filing of this Petition for Removal, Defendant is providing
7 Notice to all parties and the Clerk of the Eighth Judicial District Court, Clark County, Nevada,
8 pursuant to 28 U.S.C.A. §1446(d).

9 WHEREFORE, because there is diversity of citizenship between the parties and the
10 amount in controversy meets the jurisdictional limit, Defendant METROPOLITAN PROPERTY &
11 CASUALTY INSURANCE COMPANY gives notice that the above-entitled action, pending in the
12 Eighth Judicial District Court for the State of Nevada, is being removed therefrom to this
13 Honorable Court.

14 DATED this 30 day of November, 2017.

15 K E A T I N G LAW GROUP

16
17
18 
19 JOHN F. KEATING
20 Nevada Bar No. 6373
21 COLIN P. CAVANAUGH
22 Nevada Bar No. 13842
23 9130 W. Russell Road, Ste. 200
24 Las Vegas NV 89148
25 Attorney for Defendant
26 *Metropolitan Property & Casualty Insurance*
27 *Company*
28

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b) and Administrative Order 14-2 of the Eighth Judicial District Court,
I hereby certify that I am an employee of K E A T I N G LAW GROUP and that on the 30th day
of November, 2017, I served the above and foregoing PETITION FOR REMOVAL OF CIVIL ACTION
on the following parties in compliance with the Nevada Electronic Filing and Conversion Rules:

Farhan R. Naqvi
Blake S. Friedman
NAQVI INJURY LAW
9500 West Flamingo Rd., Ste. 104
Las Vegas, Nevada 89147
Attorneys for Plaintiff


An Employee of K E A T I N G LAW GROUP

K E A T I N G LAW GROUP
9130 W. RUSSELL RD., SUITE 200
LAS VEGAS, NEVADA 89148